

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARINGS OF  
THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
DECEMBER 19, 2012**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, December 19, 2012, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

**Roll Call.**

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

**Moment of silence.** There was a moment of silence for those who lost their life in the elementary school shootings at Newtown, Connecticut.

**Approval of the Minutes.**

The following minutes were distributed to and examined by the Council:

1. November 20, 2012, regular Common Council meeting
2. December 3, 2012 executive session with the Utility Service Board regarding litigation

A **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to approve both sets of minutes. Motion carried 7-0.

**Public hearing.** Mayor Seitz then opened the public hearing regarding the tax abatement request from Kimball Hospitality Inc and the declaratory resolution.

A notice appeared in the Herald on December 8, 2012, was given to the taxing units in the economic revitalization area, was posted at city hall and faxed to the news media.

Mayor Seitz asked if a representative from Kimball was present. Bill Young introduced himself.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a **motion** was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

**Resolution No. 2012-18 A RESOLUTION OF THE COMMON COUNCIL CONFIRMING THE DESIGNATION OF A PORTION OF THE CITY OF JASPER AS AN ECONOMIC REVITALIZATION AREA AND APPROVING A STATEMENT OF BENEFITS [Kimball Hospitality Inc.]**

This resolution confirms the ERA for Kimball Hospitality's tax abatement and approves a statement of benefits.

A motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Kevin Manley to pass and adopt Resolution No. 2012-18. Motion carried 7-0.

**Public hearing.** Mayor Seitz then opened the public hearing concerning amendments to the zoning ordinance that references Signs and Administration and Enforcement.

A notice appeared in the Herald on December 8, 2012, was posted at city hall and faxed to the news media.

Mayor Seitz read the following statement. With respect to tonight's public hearing, we are hereby incorporating by reference into the record of this public hearing, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance and Subdivision Control Ordinance and Flood District and Flood Damage Prevention" and any and all Amendments thereto, and the City of Jasper Comprehensive Plan.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a **motion** was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

**Zoning Ordinance Amendment/Ordinance No. 2012-34.** Mayor Seitz said the Council needs to consider the City of Jasper's proposal to amend a portion of its zoning ordinance that changes Zoning Administrator to Director of Community Development and Planning. The options for the Council are to: [1]accept the proposal, [2]reject the proposal, [3]amend the proposal, or [4]not act on the proposal.

A motion was made by Council member Raymond Howard and seconded by Council member Kevin Manley to accept the proposal as certified by the Plan Commission to amend the text and thereby adopt Ordinance No. 2012-34. Motion carried 7-0.

**Zoning Ordinance Amendment/Ordinance No. 2012-35.** Mayor Seitz said the Council needs to consider the City of Jasper's proposal to amend a portion of its zoning ordinance that changes the language regarding limitations on signs. The options for the Council are to: [1]accept the proposal, [2]reject the proposal, [3]amend the proposal, or [4]not act on the proposal.

City Attorney Renee Kabrick said since the Plan Commission meeting whereby the Commission certified to the council giving a favorable recommendation regarding changes to the sign ordinance, several additional changes were made. Kabrick said she gave the council a red-lined copy of the proposed ordinance that showed the changes. She said there were some numbering changes and changes to clarify certain language. The revisions did not change the substance of the ordinance; they only made the language more clear.

A motion was made by Council member Randall Buchta and seconded by Council member David Prechtel to amend the proposal and adopt Ordinance No. 2012-35 as revised and indicated. Motion carried 7-0.

**Ordinance No. 2012-31 AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH**

This ordinance revises the wastewater rates and charges and will be applied to billings after March 1, 2013. First reading was held November 20, 2012.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to read the ordinance by title only on second reading. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to approve the ordinance on second reading. Motion carried 7-

0. Under discussion Council member Thomas Schmidt said no one likes to see rates go up but sometimes it is necessary in order to keep up with maintenance.

A motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to have the ordinance read by title only on the third and final reading. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Kevin Manley to approve Ordinance No. 2012-31 on the third and final reading. Motion carried 7-0.

**Student.** Forest Park student T.J. Bieker was present. He said he is attending as part of his US Government class.

**Boy Scout.** Eric Nordhoff with Boy Scout Troop 182 was present. He said he is working on the communications merit badge.

**Utility Service Board.** General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on December 17, 2012. Copies of the minutes are supplied to each council member.

**Comments from JCAC president.** Jasper Community Arts Commission President Mike Jones said he had three items to report. He said the new year season planning is going well. At the end of the year he anticipates the arts department will be six figures under budget. He then asked the City to consider acquiring a credit card so the arts department employees do not have to use their personal cards and then get reimbursed.

**Ordinance No. 2012-33 AN ORDINANCE AMENDING ORDINANCE NO. 2002-47 ENTITLED AN ORDINANCE REDISTRICTING THE CITY OF JASPER, INDIANA PURSUANT TO INDIANA CODE 36-4-6-4 AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH**

This ordinance sets the boundaries for council districts since the 2010 decennial census.

A motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Thomas Schmidt to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-33. Motion carried 7-0.

City Attorney Renee Kabrick said the districts are identical to the precincts set by the County.

**Ordinance No. 2012-36 AN ORDINANCE AMENDING ORDINANCE NO. 565 OF THE CITY OF JASPER, INDIANA, AND AUTHORIZING THE SALE AND CONSUMPTION OF BEER AND WINE AT THE JASPER MUNICIPAL GOLF COURSE AND RUXER GOLF COURSE AND RELATED MATTERS**

Park Director Ken Buck said the Park Board addressed in October and November the sale of beer and wine at the golf courses and recommended to the Council to allow such sales. Buck said he anticipates a profit of approximately \$20,000.00.

A motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-36. Motion carried 7-0.

**Resolution No. 2012-20 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA REGARDING THE ACCEPTANCE OF A DONATION**

This resolution accepts the donation of a public restroom facility at Central Green.

A motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Kevin Manley to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Gregory Schnarr to pass and adopt Resolution No. 2012-20. Motion carried 7-0.

Mayor Seitz thanked the Steven Seger Memorial Foundation for its donation. Park Director Ken Buck said the value was between \$23,000 and \$25,000.

**Resolution No. 2012-21 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA WAIVING BEAVER DAM LAKE DOCK RENTAL FOR 2013**

This resolution waives the Beaver Dam Lake dock rental fee for 2013.

A motion was made by Council member David Prechtel and seconded by Council member Kevin Manley to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member Kevin Manley

and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2012-21. Motion carried 7-0.

Park Director Ken Buck said with the summer of 2012 drought, we did not receive enough rain to fill the lake; therefore, the Park Board recommended waiving the 2013 dock rental fee.

**Resolution No. 2012-22 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA APPROVING CERTAIN MATTERS IN CONNECTION WITH THE FORMATION OF A CERTAIN ECONOMIC DEVELOPMENT AREA [Jasper Country Club]**

This resolution approves the determination that the Jasper Country Club Economic Development Area is an “economic development area”.

A motion was made by Council member Raymond Howard and seconded by Council member Gregory Schnarr to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member David Prechtel to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Kevin Manley to pass and adopt Resolution No. 2012-22. Motion carried 7-0.

Under discussion City Attorney Renee Kabrick said in this resolution the Council approves the Declaratory Resolution and the Plan for the Economic Development Area adopted by the Redevelopment Commission and confirms the Plan Commission Order. It is also giving Council approval to allow the Redevelopment Commission to purchase the Jasper Country Club property.

Council member Randall Buchta said people have called him with concerns about selling 30<sup>th</sup> Street Park and the cost to taxpayers to acquire the country club property. He hopes the City does not have to sell the 30<sup>th</sup> Street park property because it is used a lot. After talking to some council members, he feels comfortable that if the City sells certain property that was previously discussed, acquiring the country club property will not cost the taxpayers any more money.

Council member Earl Schmitt said he would hate to see the City give up the ball fields at 30<sup>th</sup> Street park.

Kabrick said there has just been a handshake with the school to acquire 10-15 acres of the country club property from the City if the City purchases the property. She showed a photograph of the area the Schnitzelbank wants and the 2-3 acres the Country Club Estates homeowners that abut the northwest side want. The Schnitzelbank wants 1.72 acres in addition to a parcel by the building. The City would not have anything to do with those two sales.

**Board appointments.** Mayor Seitz said the Council needs to make appointments to certain Boards.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to appoint Randall Buchta to the Dubois County Solid Waste Management Board for one year, appoint Raymond Howard and John Schroeder to the Jasper Redevelopment Commission for one year, and appoint David Hurst to the Utility Service Board for four years. Motion carried 7-0.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:09 p.m.

The minutes were hereby approved \_\_\_\_\_ with   X   without corrections or clarification this 23rd day of January, 2013.

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**Mayor Terry Seitz**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**